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Attorney for Defendants:
PRIMO'S PIZZA AND PASTA, INC.;
RHODES FAMILY TRUST DATED MAY 9, 2003;
JOHN R. RHODES; ROBERT BRILL;
DONNA BRILL

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RICHARD STICKNEY,

Plaintiff,

CASE NO. C03-5720 JSW
Civil Rights

v. **STIPULATION AND ~~PROPOSED~~ ORDER
OF DISMISSAL**

PRIMO'S PIZZA AND PASTA,
INC.; RHODES FAMILY TRUST
DATED MAY 9, 2003; JOHN R.
RHODES; ROBERT BRILL; DONNA
BRILL; and DOES 1 through
25, Inclusive,

Defendants.

IT IS HEREBY STIPULATED BY ALL PARTIES THROUGH THEIR COUNSEL OF
RECORD AS FOLLOWS:

1. The parties have reached a settlement as to all of
plaintiff's claims for injunctive relief, damages, attorney

fees, litigation expenses and costs. The agreement as to injunctive relief has been memorialized in a separate Consent Decree and Order which was signed by the Court on September 23, 2004. The agreement on damages, attorney fees, litigation expenses and costs was put on the record by Magistrate Judge Joseph C. Spero at the settlement conference of September 15, 2004.

2. The payment of damages and attorney fees has been made by defendants, and by the terms of the Consent Decree and Order, the Court has retained continuing jurisdiction to enforce the injunctive relief terms.

3. The parties therefore agree that, subject to the court's continuing jurisdiction under the Consent Decree, the action shall be dismissed with prejudice.

Dated: May 12, 2005

PAUL L. REIN
PATRICIA BARBOSA
JULIE MCLEAN
LAW OFFICES OF PAUL L. REIN

/s/ Julie McLean

Attorneys for Plaintiff
RICHARD STICKNEY

Dated: May 12, 2005

JEWEL KOLLING BASSE
RONALD F. BERESTKA, JR.
BRETT T. MORONEY
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/s/ Brett Moroney

Attorneys for Defendants
PRIMO'S PIZZA AND PASTA, INC.;
JOHN R. RHODES

ORDER

Pursuant to stipulation, and for good cause shown, **IT IS SO ORDERED.** The Court will retain jurisdiction to enforce the Consent Decree and Order, and the action is hereby dismissed.

Dated: May 12, 2005

/s/ Jeffrey S. White

Hon. Jeffrey S. White
U.S. District Judge